

DISTRICT JUDGE'S MINUTES
IN THE UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA – PHOENIX

U.S. District Judge: SUSAN R. BOLTON

Date: October 16, 2019

USA v. Abdul Malik Abdul Kareem

Case Number: CR-15-00707-1-PHX-SRB

Assistant U.S. Attorney: Kristen Brook and Joseph Koehler

Attorney for Defendant: Daniel Drake and Daniel Maynard, CJA

Interpreter: N/A

Defendant: ☒ Present ☒ Custody

Evidentiary Hearing (Day 2)

1:03 p.m. Reconvene. **Defendant's case (continued):** Ryan Mullen, previously sworn, is examined. Exhibit 122 is admitted. Glenn Milnor, previously sworn, is examined. 2:51 p.m. Recess.

3:06 p.m. Reconvene. Glenn Milnor is examined further. Witness is excused. Defense counsel requests to call AUSA Joseph Koehler to the stand to testify. Discussion held. For reasons as stated on the record, the request is denied. Discussion held regarding Defense counsel's request to admit the hard drive containing the electronic surveillance. The Court questioned whether the hard drive could be viewed, if admitted. Defense counsel stated it could not be viewed as offered. Government's counsel having no objection, the Court will admit a viewable video of May 1, 2015 footage only. The Defense conceding there is no evidence on the video from May 2 through 4. Discussion held regarding Defense counsel's request to continue the hearing in order to call Andrew Smith to testify. For reasons as stated on the record, the request is denied. Defense rests. Government's counsel advises the Court the Government has no further evidence to present. Discussion held regarding closing arguments.

3:39 p.m. Court stands at recess until **1:30 p.m., October 18, 2019**, for the parties' closing arguments.

Recorded By Laurie Adams

Deputy Clerk Maureen Williams